

REMARKS

Claims 1, 4-5, 13-14, 17-18, 26-27, 30-31, 39-40, 42-43, 46-47, and 52-55 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Young et al. U.S. Patent 4,706,121 ("Young") in view of Richards et al. U.S. Patent 5,179,654 ("Richards").

Claims 2, 6-7, 15, 19-20, 28, 32-33, 41, and 44-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Young in view of Richards, and further in view of Palmer et al. U.S. Patent 6,320,588 ("Palmer").

Applicants have amended independent claims 1, 14, 27, and 40 to more particularly define the claimed invention. Applicants have added new claims 56-59. Applicants' claim amendments and new claims do not introduce any new matter and are fully supported by the originally filed specification, for example, at page 21, line 24 to page 22, line 6

The Examiner's rejections are respectfully traversed.

Applicants' invention as defined by amended independent claims 1, 14, 27, and 40 relates to a method, systems, and machine-readable media for providing help information that explains to a user how an electronic television program guide operates. The current operating mode of the electronic television program guide is tracked and stored as the user operates the guide. A user input is

received and in response to the user input, the help information is provided. The help information that is provided is based on the stored current operating mode of the guide.

Young relates to a TV schedule system and process that is able to display help information to a user. As pointed out by the Examiner, when the user selects key PG 224 on keyboard 220, help information is displayed at the bottom of the screen. See col. 12, lines 36-43. However, as conceded by the Examiner, Young does not show tracking a current operating mode and providing help information based on the tracked current operating mode. The Examiner, therefore, relies on Richards to show these features.

Richards relates to providing help information to users of data processing systems (i.e., computers). Richards discusses three different levels of help support that can be provided to users of data processing systems.¹

The first level support is provided when the help key is pressed once. The first level help information "relates to the area under the pointer. The help provided is associated with either the box or panel at which the pointer is directed" (col. 7:27-29). Richards states that this level

¹ Richards also notes that it is possible to have a fourth level support that corresponds to a system facility that owns an application (see col. 3:42-44). However, Richards provides no details regarding this fourth level support.

of information is "provided by the application concerned" (col. 7:34-35). Richards, however, is silent on how the application provides the first level of help information. Accordingly, the first level of support fails to show or suggest tracking and storing the current operating mode of the application as a user operates the application and fails to show or suggest providing help information based on the stored current operating mode as required by applicants' claimed invention.

The second level support is provided when the help key is pressed twice. This invokes a special help program (see col. 7:36-40). When the second level support is invoked, the current application "set[s] system variables defining the current state of the application and . . . call[s] the help program" (col. 8:60-62). The help program uses the set system variables to determine what help information to provide (see col. 3:1-12). Therefore, the second level support sets system variables after help is requested and does not show or suggest tracking and storing the current mode of an application as a user operates the application as required by applicants' claimed invention. As a consequence, the second level support also fails to show or suggest providing help information based on the stored current operating mode as required by applicants' claimed invention.

The third level support is a tutorial. The tutorial can be access by selecting a "tutorial" box in the help window

of the help program (see col. 7:63-65). The tutorial provides explanatory information on principles, facilities, and typical tasks (see col. 7:66 to col. 8:1). The third level support fails to show or suggest tracking and storing the current operating mode of the application as a user operates the application and fails to show or suggest providing help information based on the stored current operating mode as required by applicants claimed invention.

None of the three levels of support discussed in Richards show or suggest tracking and storing the current operating mode of an application as a user operates the application and providing help information based on the stored current operating mode as required by applicants claimed invention.

The Examiner contends that "Microprocessor 10 [of Richards] tracks each menu and also items within each menu to provide different levels of help information based on the mode of operation of a menu" (Office Action, p.3). However, nowhere in Richards does it state that menus or items within menus are "tracked." Rather, as discussed above, Richards is silent on how some help information is provided and states that other help information is provided based on system variables that are set after the help information is requested. This fails to show or suggest applicants' claimed invention.

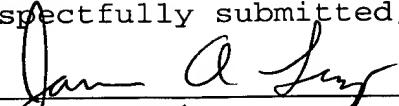
In view of the foregoing, even if it were obvious to combine Richards with Young, the combination would fail to show or suggest tracking and storing the current operating mode of an electronic television program guide as a user operates the guide and fails to show or suggest providing help information based on the stored current operating mode as required by applicants amended independent claims 1, 14, 27, and 40.

Accordingly, for at least the foregoing reasons, applicants submit that independent claims 1, 14, 27, and 40 and dependent claims 2, 4-7, 13, 15, 17-20, 26, 28, 30-33, 39, and 41-45, 47, and 52-59 should be found allowable over Richards, Young and Palmer. Therefore, the rejections of claims 1, 2, 4-7, 13-15, 17-20, 26-28, 30-33, 39-45, 47, and 52-59 should be withdrawn.

In view of the foregoing, claims 1, 2, 4-7, 13-15, 17-20, 26-28, 30-33, 39-45, 47, and 52-59 are in condition for allowance. This application is therefore in condition for

allowance. Reconsideration and allowance of the application
are respectfully requested.

Respectfully submitted,


James A. Leiz

James A. Leiz
Registration No. 46,109
Attorney for Applicants
Fish & Neave IP Group
Ropes & Gray LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000